

obvious over Dekelbaum and U.S. Patent No. 5,884,032 to Bateman et al. After a careful review of the claims (as amended), it is believed that the rejections are in error and, consequently, the rejections are traversed.

2. Claims 1, 27 and 30 have been objected to for certain informalities. In response claims 1, 27, 30 have been amended in the manner suggested by the Examiner.

3. Claims 1-5, 8, 18-24, 27, 37-42 and 45 have been rejected as being anticipated by Dekelbaum. In particular, the Examiner asserts that "Dekelbaum et al. disclose a web site which includes a plurality of web pages with the embedded phone number or data address of each of plurality of group of agent so that when the user views the web page information and decides to speak to an agent the user just click on the hot spot such as hypertext link, image, button or icon wherein the phone number or data address is embedded in it to establish a call between the user and an agent group over local area network . . . It would have been obvious . . . to dispose a audio access icon in at least some web pages".

It is noted first, that the Office Action of April 23, 1999 appears to be defective. For example, the Examiner asserts that claims 1-5, 8, 18-24, 27, 37-42 and 45 are anticipated by Dekelbaum, yet the Examiner implicitly admits (Office Action,

page 3, lines 9-10) that Dekelbaum is incomplete in that it does not teach of the use of audio access icons.

It is noted next, that Dekelbaum functions in an entirely different manner than the claimed invention. For example, the claimed invention establishes a voice path between Internet voice plug-ins of the user and agent. In contrast, Dekelbaum retrieves a telephone number of the Merchant Facility and uses an autodialer to request that the PSTN provide a voice path over "a switched network such as the public switch telephone network (PSTN) providing analog POTS or ISDN service" (Dekelbaum, col. 6, lines 1-3). Further, Dekelbaum's voice path is exclusively over the PSTN. For example, "voice communications carrier by the analog POTS network 150" (Dekelbaum, col. 11, lines 4-5), "voice communications . . . translated to the POTS Network 150 for delivery to the merchant's analog ACD/PBX 106" (Dekelbaum, col. 11, lines 16-20).

Further, Dekelbaum requires an autodialer to complete the voice path through the PSTN. For example, "a caller uses a Web Browser 14a-14c to initiate access to . . . the Merchant's home page . . . At the bottom of the page . . . are hyperlinks 230 to automatically dial the Merchant Sales Facility . . . the browser examines the MIME type, associates it with an autodialer functionality, launches the autodialer and passes the telephone number to be dialed to the autodialer" (Dekelbaum, col. 12, lines 1-22), "terminal software 16 is assumed to cause modem 18 to initiate a call over the PSTN POTS network by dialing the voice

or modem telephone number of Merchant Sales Facility" (Dekelbaum, col. 9, lines 40-43) "the autodialer function initiates a telephone call, either using a second B channel or a second POTS line" (Dekelbaum, col. 13, lines 12-13), "the autodialer has been used to establish a video-teleconferencing link with a remote party over a switched network" (Dekelbaum, col. 13, lines 35-37).

Further, as admitted by the Examiner, Dekelbaum contains no teaching of a plurality of audio access icons. Even assuming arguendo that there were a plurality of icons, which there is not, there is no teaching of the association of agent groups with a subject matter of each icon.

For any of the above reasons, Dekelbaum does not do the same thing in the same way as the claimed invention. Since Dekelbaum does not do exactly the same thing in exactly the same way, the rejection is believed to be improper and should be withdrawn.

3. Claims 6-7, 25-26 and 42-44 have been rejected as obvious over Dekelbaum in view of Gerber. In particular, the Examiner asserts that "Dekelbaum fails to disclose a step of measuring a time period that the user has been in the call queue . . . it would have been obvious . . . to apply the method for identifying the waiting period of a user and comparing it with a threshold in order to transfer the user to another group of an agent".

It is noted first that Gerber, as with Dekelbaum, fails to teach of "establishing a voice path between Internet voice plug-ins of the user and an agent". As such the combination fails to teach each and every element of the claimed invention.

Further, Gerber fails to teach of "providing the web site with a plurality of audio access icons". Since it fails to teach of web site icons, it also fails to teach of associating an agent group with a subject matter of each icon.

Dekelbaum and Gerber fail to teach each and every claim limitation. As such the combination fails to make the prima facie case of obviousness under MPEP §2143.03. Since the prima facie case has not been made, the rejection is believed to be improper and should be withdrawn.

4. Claims 9-17, 28-36 and 46-55 have been rejected as being obvious over Dekelbaum and Bateman. In particular, the Examiner asserts that "Dekelbaum et al fail to disclose a step of transferring an Internet address of the selected agent to the user and an Internet address of the user to the selected agent . . . Batement et al disclose a method for establishing a call path by using the internet address of the user and agent by transferring an Internet address of the selected agent to the user and an Internet address of the user to the selected agent . . . it would have been obvious . . . to recognize that the user and agent must know the internet address each other in order to transfer the voice data".

It is noted first that Bateman fails to teach of "providing the web site with a plurality of audio access icons". Since it fails to teach of web site icons, it also fails to teach of associating an agent group with a subject matter of each icon.

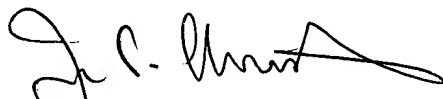
Dekelbaum and Bateman fail to teach each and every claim limitation. As such, the combination fails to make the prima facie case of obviousness under MPEP §2143.03. Since the prima facie case has not been made, the rejection is believed to be improper and should be withdrawn.

5. For the foregoing reasons, allowance of claims 1-55 as now presented, is believed to be in order and such action is earnestly solicited. Should the Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, he is respectfully requested to telephone applicant's undersigned attorney.

Respectfully submitted,

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